

State of South Dakota

SEVENTY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 1998

634B0634

SENATE EDUCATION COMMITTEE

ENGROSSED NO. **SB152** - 1/30/98

Introduced by: Senator Everist and Representative Brown (Richard)

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding school days and
2 school terms.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 13-26-1 be amended to read as follows:

5 13-26-1. The school fiscal year shall begin July first and end June thirtieth. ~~A school day shall~~
6 ~~be at least five and one-half hours, exclusive of intermissions, and at least two and three-fourths~~
7 ~~hours shall count as a half day. The time specified as a "school day" shall not apply below grade~~
8 ~~four. An "intermission" is the time when pupils are at recess or lunch. Each local school board~~
9 ~~or governing body may set the length of a school day and the number of school days in a school~~
10 ~~week. However, the number of hours for structured learning time in a school term for grades~~
11 ~~four through eight may not be less than nine hundred sixty-two and one-half hours and for grades~~
12 ~~nine through twelve may not be less than nine hundred sixty-two and one-half hours. The South~~
13 ~~Dakota Board of Education shall promulgate rules pursuant to chapter 1-26 defining structured~~
14 ~~learning time and setting the length of school term for grades one through three. The local school~~
15 ~~board or governing body may establish the school term for kindergarten programs. A school~~

board may operate a special term during the summer months.

Section 2. That § 13-26-2 be amended to read as follows:

13-26-2. The school board or governing body shall operate grades one through twelve in its schools for at least a nine-month regular term in any one school year. The regular school term may be conducted on a year-round basis, ~~but for grades one through twelve shall consist of school actually in session for at least one hundred seventy-five days~~ and shall begin on a date established by the school board. The ~~State~~ South Dakota Board of Education ~~shall~~ may promulgate rules pursuant to chapter 1-26 governing the operation and scheduling of year-round schools. ~~The rules may allow deviations from the one hundred seventy-five day requirement in this section and from the five and one-half hour per day requirement in § 13-26-1 if the total school term hours requirement in § 13-26-2.1 is met. The local school board or governing body may establish the school term for kindergarten programs. Any school board or governing body may release graduating high school seniors from school before the end of the regular term if the release is for no more than three days. Make up days for school closing because of weather, disease or emergency need not exceed ten days. Graduating seniors are excused from make up days if the make up days occur after the students have graduated or after graduation exercises have been held. If classes have been convened and then are dismissed because of inclement weather or emergency, that day constitutes a day in session the actual time in session applies to the hours for a school term required in § 13-26-1.~~

School boards are encouraged to provide days within the regular school term for curriculum and staff development which shall be in addition to the one hundred seventy-five days required in this section. Notwithstanding § 13-26-1, school boards may count up to eighteen hours of the hours required for a school term in § 13-26-1 for conducting teacher-parent conferences or curriculum and staff development. Each school board shall determine ~~the appropriate number of days for this activity and~~ how best to use the time based on local needs for program

development, increased parent participation, student contact, teachers' preparation, or other needs of the schools in the district. ~~School shall be in session only when classes are held and as provided in §§ 13-26-4 and 13-26-4.1. A school board may operate a special term during the summer months.~~

Section 3. That § 13-26-2.1 be repealed.

~~13-26-2.1. Notwithstanding §§ 13-26-1 and 13-26-2, each local school board may establish the length of a school day and the number of school days in a school week, provided the number of school hours in a school term for grades four through twelve may not be less than nine hundred sixty-two and one-half hours, exclusive of intermission. A plan to establish a school term pursuant to this section must first be approved by the South Dakota Board of Education. The state board may adopt rules, pursuant to chapter 1-26, regulating the approval of local district plans.~~

Section 4. That § 13-26-4 be repealed.

~~13-26-4. A school may have teacher-parent conferences during the school year and not more than three such days may be counted as days in session.~~

Section 5. That § 13-26-4.1 be repealed.

~~13-26-4.1. The school board may designate a maximum of one of the three session days provided for in § 13-26-4 as in-service teacher training days.~~

Section 6. That § 13-26-6 be amended to read as follows:

13-26-6. The provisions of §§ 13-26-1 and 13-26-2 ~~and 13-26-4~~ shall do not apply to adult education schools, summer schools, kindergartens, and ~~nursery schools~~ preschools.

1 **BILL HISTORY**

2 1/21/98 First read in Senate and referred to Education. S.J. 142

3 1/28/98 Scheduled for Committee hearing on this date.

4 1/28/98 Education Do Pass Amended, Passed, AYES 5, NAYS 2. S.J. 241